

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: AVANDIA MARKETING, SALES
PRACTICES AND PRODUCTS
LIABILITY LITIGATION

THIS DOCUMENT RELATES TO
ALL ACTIONS

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: MDL No. 1871
: 2:07 –MD-01871-CMR
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APPLICATION FOR APPOINTMENT OF DIANNE M. NAST

Dianne M. Nast respectfully submits this application for appointment as Plaintiffs' Liaison Counsel or as a member of the Avandia Litigation Plaintiffs' Steering Committee. This Application was originally lodged by the Clerk of Court under docket number 2:08-cv-1214, and thus did not appear on the MDL docket.

Ms. Nast is a senior shareholder, officer, and director of RodaNast, P.C. From 1976 to 1995, she was with the Philadelphia law firm of Kohn, Nast & Graf, P.C, where she was a senior shareholder, officer, and director. She graduated *magna cum laude* from Rutgers University School of Law.

She was appointed by Chief Justice William H. Rehnquist to serve as a Director of the Federal Judicial Center Foundation. In January 1998, the Chief Justice named Ms. Nast Chair of the Foundation, and Ms. Nast served as Foundation President for five years.

In January 2001, Chief Judge Edward Becker appointed Ms. Nast to serve as a member of the Third Circuit Task Force on Selection of Class Counsel. Ms. Nast also chaired the Lawyers Advisory Committee for the United States Court of Appeals for the Third Circuit. She served on the Third Circuit's Committee on Revision of Judicial Conduct Rules of the Judicial Council and on the Judicial Conference Long Range Planning Committee. Ms. Nast also

Chaired the Eastern District of Pennsylvania's Lawyers Advisory Committee, and has served as Lawyer Chair of the Judicial Conference of the United States Court of Appeals for the Third Circuit.

She served for three years as President of The Historical Society for the United States District Court for the Eastern District of Pennsylvania and served for three years as Editor of the Society's Historical Calendar.

Ms. Nast is a Fellow of the American Bar Foundation. She served a term as Delegate to the American Bar Association House of Delegates, and three terms in the Pennsylvania Bar Association House of Delegates.

Ms. Nast served a three-year term on the Philadelphia Bar Association Board of Governors, chaired the Association's Federal Courts Committee, and was a member of the Chancellor's Committee on Tort Reform and Special Committee on the Bicentennial Celebration.

She served as a member of the American Arbitration Association Task Force on Alternate Dispute Resolution and Mass Torts. She also served as a member of the Board of Directors of the American Arbitration Association.

Ms. Nast has been repeatedly selected to be in *The Best Lawyers in America*. The *National Law Journal* has selected Ms. Nast as one of the nation's top fifty women litigators. She is listed in *Who's Who In America*, *Who's Who In American Women*, *Who's Who in American Law* and in a variety of other *Who's Who* and similar publications.

She is a member of the Board of Directors for the Center for Research on Women and Newborn Health and serves as President of the Foundation's Board. She also is a member of the Lancaster Catholic High School Board of Education and coaches the school's Quiz Bowl team.

Ms. Nast has worked effectively with courts, defense counsel and co-counsel in a variety of complex cases. She has served as Court-appointed Lead Class Counsel and Steering or Major Committee member in major pharmaceutical, antitrust, and consumer protection cases, including by way of example, the following cases:

Pharmaceutical and Medical Devices: Baycol Products Litigation, MDL No. 1431 (D. Minn.); Diet Drug Product Liability Litigation, MDL No. 1203 (E.D. Pa.); Factor Concentrate Litigation, MDL No. 986 (N.D. Ill.); Felbatol Products Liability Litigation, MDL No. 1048 (N.D. Cal.); *Silicone Breast Implant Litigation*, MDL 926 (N.D. Ala.); *Serzone Products Liability Litigation*, MDL 1477 (S.D. Va.).

Antitrust Cases: Augmentin Antitrust Litigation, C.A. No. 04-CV-23 (E.D. Va.); *Nifedipine Antitrust Litigation*, MDL No. 1515 (D.D.C.); *Paxil Antitrust Litigation (Nichols, et al. v. SmithKline Beecham Corp.)*, Civil Action No. 00-6222 (E.D. Pa.); *Wellbutrin SR Antitrust Litigation*, Civil Action No. 04-5525 (E.D. Pa.).

Consumer and Other Cases: Beechnut Consumer Litigation, Master File No. 86-6608 (E.D. Pa.); *Bolar Pharmaceutical Co., Inc. Generic Drug Consumer Litigation*, MDL 849 (E.D. Pa.); *Castano Tobacco Litigation*, Civil Action No. 94-1044 (E.D. La.).

RodaNast, P.C. represents several Avandia plaintiffs in the Eastern District of Pennsylvania. The firm has the staff, resources and ability to commit to the Avandia litigation and to serve in such capacity as the Court deems appropriate. Ms. Nast's curriculum vitae is attached as Exhibit A.

DATED: March 25, 2008

/s/ Dianne M. Nast
Dianne M. Nast, Esquire
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CERTIFICATE OF SERVICE

I hereby certify that on March 25, 2008, a copy of the Application for Appointment was filed electronically and is available for viewing from this Court's ECF system. A true and correct copy of this document has been served via the Court's ECF system.

/s/ Dianne M. Nast

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